

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Gilles TATHAM et al.

Art Unit: 3664

Appln. No.: 10/803,184

Exr. B. Broadhead

Filed: March 18, 2004

Conf. No. 5111

For: AIRCRAFT PILOTING SYSTEM, AT LEAST FOR PILOTING THE
AIRCRAFT DURING A NON PRECISION APPROACH WITH A VIEW TO
LANDING

REQUEST FOR NEW OFFICE ACTION AND RESETTNG
OF RESPONSE PERIOD AND IN THE ALTERNATIVE
RESPONSE UNDER 37 CFR 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants respectfully note that, in the new Office Action dated October 31, 2008, the Office apparently mistakenly copied and mailed the Office Action used in a previous rejection (mailed on January 10, 2008).

The Office Action of October 31, 2008 is exactly the same as the previous Office Action mailed on January 10, 2008, despite amendments to the claims made in the Amendment filed on May 12, 2008. The Office Action of October 31, 2008 does not address those claim amendments.

Additionally, the Office Action of October 31, 2008 states that an RCE was filed with the May 12, 2008 Amendment. This is incorrect. The Amendment filed on May 12, 2008 was not filed with an RCE.

Thus, it is apparent that the Office has mistakenly mailed an erroneous Office Action, in that the most recent Office Action does not address the new amendments to the claims or any of the arguments for patentability of the pending claims previously presented.

The undersigned telephoned the Examiner to point out that the above-noted mistake, and to request a new Office Action on the merits of the current claims.

In the event that the Office refuses to issue a new office action, the arguments and amendments made in the May 12, 2008 Amendment (as noted above, they were directed to the same rejections set forth in the previous Office Action) are reiterated and incorporated by reference herein so that this filing should be deemed fully responsive to the pending Office Action.

It is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

Respectfully submitted,

/James Edward Ledbetter/

Date: January 28, 2009
JEL/DWW/att

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